

117884
DECISION



21231 Volpe
**THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON, D. C. 20548**

FILE: B-202053

DATE: March 23, 1982

MATTER OF: Department of the Army - Shipment of vehicles overseas for two married employees

DIGEST: Husband and wife who are both transferred to overseas duty stations in same approximate area may be authorized shipment of two vehicles under certain conditions. Each employee must sign transportation agreement, although the agreement of the employee who is only shipping a vehicle and claiming other relocation expenses as dependent of spouse should be limited.

The issues in this case are (1) whether there is an entitlement for two married employees to ship two privately owned vehicles when both employees are transferred to overseas duty stations in the same approximate area, and (2) whether each employee should sign a transportation agreement. We hold that under certain circumstances each employee may ship a vehicle overseas and each employee should be required to sign a transportation agreement.

This decision is in response to a request from J. A. Doyle, Assistant Secretary of the Navy for Manpower, Reserve Affairs and Logistics, which has been forwarded through the Per Diem, Travel and Transportation Allowance Committee, PDTATAC Control No. 80-33.

The request states that the Department of the Army has several husband/wife teams employed as Quality Assurance Specialists with each employee subject to mandatory transfers. It is Army policy to assign husband/wife team members to different locations in the same overseas area when possible, to preclude conflict with nepotism regulations. As to the entitlement of each employee to ship a privately owned vehicle overseas, the request points out that Volume II of the Joint Travel Regulations (2 JTR), para. C 4000-2, limits entitlement incident to a transfer when two married employees are both transferred to duty stations in the same approximate area.

The request states further that the Federal Travel Management Division of the General Services Administration advises that two vehicles may be shipped under these circumstances provided that the duty locations are separate and far enough apart that shipment of two vehicles would be advantageous to the Government. Since it appears permissible to ship two vehicles under certain conditions, the question of transportation agreements arises. Under such an agreement, the agency agrees to furnish transportation and the employee agrees to remain in the Government service for a specified period. Where the employees are assigned to different duty stations but maintain one household, should separate transportation agreements be executed for each employee and, if so, should the entitlements of one employee be limited?

The authority for the shipment of a privately owned vehicle to, from, or between overseas locations is contained in 5 U.S.C. § 5727 (1976) which provides that the employing agency must determine that it is in the interest of the Government for the employee to have the use of a motor vehicle at the post of duty. The implementing regulations contained in the Federal Travel Regulations (FRMR 101-7) (FTR), Chapter 2, Part 10, set forth the conditions necessary for shipment of a privately owned vehicle. See FTR para. 2-10.2c.

Assuming that each employee would meet the conditions necessary for shipment of a privately owned vehicle, we see no objection to shipment of two vehicles where husband/wife employees are transferred overseas. Although the FTR purports to limit relocation expenses where two or more family members are transferred, our decisions have held that under such circumstances duplicate payments for the same purpose may not be allowed, but each employee is entitled to reimbursement for separate relocation expenses incurred incident to each employee's transfer. See Roberta J. Shoaf, 57 Comp. Gen. 389 (1978); and FTR para. 2-1.5c. See also 2 JTR para. C 4000-2.

As to the requirement for signing transportation agreements, we believe the employee who is only shipping

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a vehicle and who is listed as a dependent for other relocation expenses should be required to sign a separate transportation agreement. Such agreement should be limited to the shipment of the vehicle and should otherwise follow the conditions set forth in FTR para. 2-1.5a(1)(b).

Milton J. Aocolan
for Comptroller General
of the United States